

REMARKS

Claims 1 and 2 are canceled without prejudice to their continued prosecution in a continuation and/or divisional application.

Claims 3 and 4 have been rewritten in independent form in accordance with the Examiner's suggestion.

New claim 5 is fully supported by original claims 2, 3, and 4.

No new matter has been added. Upon entry of this Response, claims 3-5 are present and active in the application.

In accordance with MPEP 714.13, Applicants respectfully submit that the present amendment is appropriate for entry under 37 CFR § 1.116 inasmuch as it merely cancels claims, adopts examiner suggestions, and places the claims in condition for allowance. Entry of the present amendment is, therefore, respectfully requested.

Claim Rejections – 35 U.S.C. § 103

The rejection of claims 1-2 under 35 U.S.C. § 103(a) as being unpatentable over *Horikawa et al.* (U.S. Patent No. 5,414,081) alone or, alternatively, over *Sakurai et al.* (J. Org. Chem., 1996, 61, 7889-7894) or *Horikawa et al.* in view of *Sunagawa et al. I* (EP 0188816 A1) or *Sunagawa et al. II* (U.S. Patent No. 5,578,722) has been rendered moot by the cancellation without prejudice of these claims. Accordingly, withdrawal of this ground of rejection is respectfully requested.

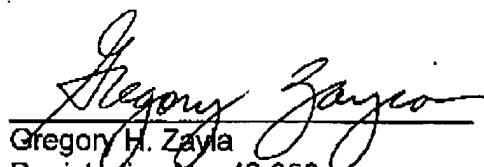
Claim Objections

The objection to claims 3 and 4 as being dependent upon a rejected base claim has been obviated by amendment. Claims 3 and 4 have been rewritten in independent form in accordance with the Examiner's suggestion and, therefore, are believed to be allowable. Claim 5 depends from newly independent claims 3 and 4 and is likewise believed to be allowable. Accordingly, withdrawal of all grounds of objection is respectfully requested.

Conclusion

If for any reason the Examiner feels that the above Amendment and Remarks do not put the claims in condition to be allowed, and that a discussion would be helpful to advance prosecution, it is respectfully requested that the Examiner contact the undersigned agent directly at (312)-321-4257.

Respectfully submitted,



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